

**BOROUGH OF MIDDLESEX
REGULAR MEETING MINUTES
APRIL 26, 2016**

MAYOR'S STATEMENT: Under the provisions of N.J.S.A. 10:4-6 et seq., notice of the time and place of this meeting was given by way of the Annual Meeting Notice of January 2, 2015 and was forwarded to the Star Ledger, Courier News and Home News, and posted at Borough Hall.

SALUTE TO THE FLAG

ROLL CALL

Mayor	Ron DiMura
Council President	Sean Kaplan
	Stephen Greco (absent – work)
	Patrick Corley
	John Madden
	Bob Schueler
	Jack Mikolajczyk

Attorney:	Aravind Aithal
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PRESENTATIONS-SEE BELOW

APPOINTMENTS-NONE

PROCLAMATIONS-NONE

NEW BUSINESS-NONE

PUBLIC HEARING-NONE

ADOPTION OF MINUTES

Councilman Schueler made a motion to approve the April 12, 2016 Regular Meeting Minutes and Executive Session Meeting Minutes and the April 19, 2016 Special Meeting Minutes seconded by Councilman Madden and carried by a unanimous vote of Council.

REPORTS – STANDING COMMITTEES:

Mayor DiMura requested again that he would like council to get all information that they would like to discuss at the meeting sent over to the Borough Clerk for the Public Meeting Agenda by the Wednesday or at the latest Thursday prior to the Regular Meeting to be placed on the Agenda, as it is unfair to both the public and the council as to what is going to be discussed.

1. Finance/Taxation/Real Estate/Construction Official/Insurance – Councilman Schueler had nothing to discuss.

2. Recreation/Recreation Fields/Water & Light

A. Councilman Madden reported that construction for the lap pool has been stepped up in order to comply with the May 1, 2016 contract for substantial completion.

3. Fire/OEM/Board of Health/Rescue Squad/Flood

A. Council President Kaplan thanked everyone for supporting the Fire Department Carnival last week, which was a great success.

B. Council President Kaplan also reported that there was an alarm activation at Mauger School which was an alarm in duct work. Apparently students and teachers did not hear audible alarm, and this is being addressed by the Fire Marshall. At the request of Council President Kaplan a copy of the Fire Department Report is below and will also be passed on to the liaison to the Board of Education to address at their next meeting.

“At approximately 11:47am on Friday April 22, 2016 I responded to the scene of an activated fire alarm at Mauger Middle School, 3 Fisher Ave. I was the first arriving officer on scene and established command of the incident. I did a 360 of the building and observed no smoke or fire which I relayed to the responding units.

I met one of the employees of the school outside and they informed me the fire alarm had been silenced, but not reset, before my arrival and the panel was showing a duct detector activation. As my units began to arrive on scene, I instructed two firefighters go to the roof of the school to check the duct detectors and two more firefighters to walk the entire school to make sure there were no other issues or activations.

The roof crew advised that a duct detector on the roof was displaying an error message and they secured the power to it. The interior crew walking the school advised me there was no smoke or fire throughout the entire school, and no other activations. I advised Vice Principal Ryan Regan of the error and requested he try to reset the fire alarm. The fire alarm reset without incident and I advised Vice Principal Regan to have the duct detector serviced before putting the unit back in service.

At approximately 12:16pm, the children and staff were advised they could re-enter the school and all of my units were secured and command was terminated.”

Kenneth A Bartok Jr.
Captain/Middlesex Fire Department

4. Public Works/Parks/Sanitation/Recycling

A. Councilman Corley reported on the following regarding the Department of Public Works:

- 1) DPW has revamped landscaping at Police Headquarters, hopefully this will save time and money on grounds maintenance, while also giving it a fresh new look!
- 2) DPW, along with Predator Tree Service, cleared and cleaned the easement behind the Brake shop/shopping center on Rt. 28, much improving the appearance behind those properties and also now providing access through that easement.
- 3) DPW has begun its street sweeping schedule/routes and will be working its way through all districts!
- 4) DPW has been working on pothole repairs and residents are urged to call in with any pothole complaints.
- 5) DPW is revamping landscaping at corner of Grant and Rt. 28, hopefully this will also save time and money on maintenance and upkeep and give the area a fresh new look with a cleaner appearance.
- 6) As a reminder DPW is doing Bulk pickups on Wednesdays "by appointment only" with 1 (one) pick up per household per calendar year!
- 7) Also, Wednesdays are grass/leaf bag pick up in "brown biodegradable bags only" paper bags. Please have your bags out on Tuesday night for Wednesday pick up, and as a reminder the recycle yard has a container for yard waste should you miss your pick up!
- 8) Also, as a reminder the third (3rd) Wednesday of every month is branch pick up, branches should be tied and bundled in 4 ft. lengths and limbs larger than 5 inch in diameter are not accepted as per Middlesex County drop off rules! Thanks for your cooperation in this matter.

5. Police/Legal/Code Enforcement/Construction/Municipal Court

- A. Councilman Mikolajczyk made a motion to accept the Police Department March Monthly Report seconded by Council President Kaplan and carried by a unanimous vote of Council.
- B. Councilman Mikolajczyk made a motion to accept the Construction Report seconded by Councilman Madden and carried by a unanimous vote of Council.

- C. Councilman Mikolajczyk reported that there was nothing on the Police, Legal and Municipal Court at this time.
 - D. Councilman Mikolajczyk indicated that on tonight's agenda we are approving the hiring of Frank Spallone as the construction official. We had a councilmatic meeting on the 16th and discussed workflow, policies and procedures and communication with the public. We are currently reviewing a couple of pieces which are meant for internal as well as external communication with the public to better explain the permit process.
 - E. Also, tonight we will discuss a proposed amendment of Chapter 317, Property Maintenance during the workshop.
 - F. In regard to community celebrations, Councilman Mikolajczyk did meet with the mayor regarding the day's events and am currently working on putting an entertainment program for the day as well as sign up forms for vendors and non-profits.
6. Administration/Department of Senior Services/Legislation/Licensing – Councilman Greco was absent.

REPORTS

Mayor

- 1. Mayor DiMura asked Council if they had any questions regarding the proposed capital budget that was discussed at the April 12, 2016 Public Meeting. Council agreed to move forward and introduce the Capital Budget at the May 10, 2016 Public Meeting.
- 2. Mayor DiMura spoke with Central Jersey Stream Team and the borough is planning to hold a "stream cleaning event" in Middlesex on May 22, with more details to follow. This is a grassroots nonprofit organization that is dedicated to the restoration of the central jersey waterways and they encourage volunteers to help clean the Raritan River by going in the water, working jointly with volunteers and supplying gear to use. The Mayor indicated that we will be looking for volunteers to help, and will post to our website. They only ask that the DPW clean up everything that is removed afterwards. The intent of the cleanup is to travel behind Beechwood Avenue and towards Bound Brook to the Raritan River. No permits are required as the cleaning is done by hand. This clean up should help with flooding issues and flash flooding.

PRESENTATIONS

Councilman Mikolajczyk stated that he and Councilman Greco met with Mr. Jonathan Jaffe about a month ago and were trying to outline some ways to update our website and become more proactive. They have identified what we want to see on our website and solicited for vendors.

Jonathan Jaffe of Jaffe Communications, Inc. attended the meeting to discuss what their company can offer the borough. Mr. Jaffe stated that a large portion of their business is to design websites for government and municipalities.

The first step will be tasking what you want on the website and what you don't and then a site map would be put together. Jaffe recommended putting videos and podcasts on the website and being sure that the website has a responsive design and can be viewed on any platform.

Mr. Jaffe indicated that SurveyMonkey can service your residents to see what they are looking for and what they care about. He mentioned that the strengths that his company would offer is that (1) he owns the company, (2) all the designers are in-house; and (3) the website would be site specific for Middlesex Borough. Mr. Jaffe noted that his fee would consist of the setup of the website and the monthly service fee if required. The cost to set up the website, Facebook and twitter would be \$12,500 and the charge to manage the site and social media would be \$1250 a month charge. He did mention that the borough would need the use of an internet security company, which is approximately \$110.00 per month, to alleviate getting hacked or viruses.

Mayor DiMura spoke to Woodbridge who uses Jaffe Communications and they spoke highly of their services. Mayor DiMura recommended council move forward with Jaffe and have Finance look into where funds will come from and get back to them. Council was in favor of the using Jaffe Communication to design the website, but requested that in the future they may want to consider hiring a part time employee to do the updating of the website.

Mayor DiMura will ask the Finance Committee to sit down and review the proposal and recommend approving at the next meeting.

The Borough Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Consent Agenda 2016(M)

WHEREAS, the Mayor and Council of the Borough of Middlesex has reviewed the Consent Agenda consisting of various proposed resolutions; and

WHEREAS, the Mayor and Council of the Borough of Middlesex wish to remove Resolution #93-16 from this Consent Agenda.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Council of the Borough of Middlesex, County of Middlesex, State of New Jersey that the following resolutions on the Consent Agenda are hereby approved and adopted.

Resolution #89-16 – Resolution #92-16

Councilman Madden made a motion for approval seconded by Councilman Corley and carried by the following roll call vote: Ayes: Kaplan, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #89-16

WHEREAS, AJ Perri, Inc. was issued a street opening permit on 2/04/14; and

WHEREAS, AJ Perri, Inc. deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 401 Fulton St. was inspected by Michael Rossi, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of AJ Perri, Inc. , 1138 Pine Brook Road., Tinton Falls, NJ 07724, for refund of Street Opening Permit No. 2014-001.

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #90-16

WHEREAS, AJ Perri, Inc. was issued a street opening permit on 2/04/14; and

WHEREAS, AJ Perri, Inc. deposited \$2500.00 with the Borough of Middlesex to ensure proper repair and maintenance of the roadway; and

WHEREAS, said roadway at 650 Lorraine Ave. was inspected by Michael Rossi, Plumbing Inspector, and found to have been maintained in a satisfactory manner.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that the disbursing officers be and they are hereby authorized to draw a check in the amount of \$1875.00 in favor of AJ Perri, Inc. , 1138 Pine Brook Road., Tinton Falls, NJ 07724, for refund of Street Opening Permit No. 2014-002.

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #91-16

The governing body hereby hires Frank Spallone, 75 Lincoln Boulevard, Clark, New Jersey as the Construction Official effective May 16, 2016 for 12 hours per week at a salary of \$29,640, pending a satisfactory background check.

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #92-16

The Tax Collector is hereby authorized to issue a check in the amount of \$46,754.09 to redeem tax sale certificate #2015-1853, Block 341, Lot 1.01, Baekeland Avenue. Check is to be made payable to:

FWDSL & Associates LP
17 W Cliff St
Somerville, NJ 08876

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #93-16

The governing body hereby approves the new Hazardous Materials Cost Recovery Agreement for years 2016 – 2018 between the County of Middlesex and the Borough of Middlesex and authorizes the Mayor and Borough Clerk to execute same.

Councilman Kaplan made a motion for approval seconded by Councilman Schueler and carried by the following roll call vote: Ayes: Kaplan, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

The Deputy Clerk read the following resolution:

BE IT RESOLVED by the Mayor and Council of the Borough of Middlesex that:

Resolution #94-16

THE DISBURSING OFFICERS BE AND THEY ARE HEREBY AUTHORIZED TO PAY THE ATTACHED CLAIM LIST AS PRESENTED, IF FOUND CORRECT, AND APPROVED BY THE FINANCE COMMITTEE. EXCLUDED VOUCHERS MAY BE PAID UPON BEING FOUND ACCEPTABLE.

Councilman Schueler made a motion for approval seconded by Councilman Kaplan and carried by the following roll call vote: Ayes: Kaplan, Corley, Madden, Schueler and Mikolajczyk. No: None. Abstain: None.

PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the meeting for any comments.

Frank Terracciano, 429 Edgeworth Street asked council to open the swim pool gate and pathway, because when you put a gate it would make Market Street a private road, and it is a public street.

Mark Kranz, 7 Park Place questioned how many pool patrons park on Market Street during the season and how the borough can spend thousands of dollars on a gate if you do not know if it is a safety issue or not. Mr. Kranz feels that the residents park their cars on the street and not in their driveway, and if there are one or two pool patrons that park on the street that is a lot. He does not want council to spend thousands of dollars on this issue when no safety study has been done and there is no reason. Mr. Kranz feels that the people that live on Market Street just do not want people on their block.

Christine DiNizo, 7 Pearl Place spoke that when you move in an area that is by the pool you should assume that residents are going to park on your street. She also mentioned that on her road they changed the direction of traffic going into the High School and this has worked and relieved the traffic problem, but she has high school student's park on her street every day. Also, she mentioned that cleaning of the streams has helped the area, and increased property values.

Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting.

DISCUSSION ON AGENDA WORKSHOP ITEMS

1. Fixed Assets – Mayor DiMura stated that last year during the audit fixed assets were discussed and it was suggested that the best way to complete a listing of fixed assets was to bring in an outside company to come in and identify our fixed assets. This would cost between \$4,000 - \$5,000 to complete. Funds have been put into the budget, and a consensus of council was to approve a resolution at the May 10, 2016 Regular Meeting.
2. Amendments to the Personnel Policy – Use of Compensation Time, Part-time Employees – Mayor DiMura mentioned that he has noticed that there is no structure in the Personnel Policy how compensation time is approved or used. He suggests that the Policy states that Mayor or Borough Administrator must approve compensation time and they approve when it can be taken. Mayor DiMura recommended that the council approve to put a limit on the time, as employees should not be able to accrue double

digits of compensation time. Mayor DiMura is suggesting amending the personnel policy so that all compensation time be used within 14 days of when it is accumulated, with mayor or business administrator approval. This would pertain to all full time employees, as the part time employees are not eligible for compensation time. A consensus of council was to make changes in the personnel policy to reflect the approval process above and that borough employees are required to use their compensation time within 30 days of it being accumulated.

Mayor DiMura indicated that if there is a need to increase hours of a permanent part time employee, he suggests rather than increase to a full time position, the borough would be better off hiring another permanent part time person, as you would get more work hours with 2 part time employees, it would be cheaper, and we would not be required to pay in excess of \$20,000 in benefits. Mayor DiMura indicated that we have some permanent part time workers that do a great job and made the following suggestions: (1) All permanent part time workers that work more than 20 hours should get paid holidays; and (2) Permanent part time employees that work 20 hours or more should be entitled to 5 days of vacation time after 2 complete years of service. Mayor DiMura feels that this is good for morale and it does not have a negative effect on the budget. Council discussed and Mayor DiMura will check with the labor attorney to see if any of the unions could grieve this recommendation.

3. Middlesex American Youth Football & Cheer Pep Rally & Bon Fire – Councilman Kaplan received an e-mail requesting this Pep Rally & Bon Fire. Once approved by the council, the County Fire Official can take the necessary measures to make sure this is done safely. Council approved the Middlesex American Youth Football & Cheer Pep Rally & Bon Fire to be held on Thursday August 25, 2016 in the parking lot in the back of Mountain View Park and a resolution will be put on the May 10, 2016 Public Meeting for approval.
4. Lights for Football Field – Mayor DiMura indicated that we discussed a project to revamp Mountain View Park and include the football field lights, and today the Mayor spoke with the county and they are willing to work on the whole project, but officially will not be able to do a resolution until later in the year. The Mayor stated that we are trying to do a 3 year plan, which will cost over 3 million dollars, but are still at least a couple years away from having the field done. Mayor DiMura discussed with the engineer if we did the lights in the next few months, if it would hinder the rest of the work, and he indicated that it would not. Mayor DiMura would like to know if the governing body would consider starting the process to put lights on the field now, which could allow them to be completed by mid-September, as the County has agreed to give us 50% of the cost of the project, which is approximately \$300,000. Mayor DiMura feels that this would be good for the community, as it shows them that we are moving forward on the project. Council discussed this project and their major concerns were looking to see harder numbers on the cost, how the project will be paid and concern of the safety issues with intoxicated people at the Friday night games. Mayor DiMura indicated that we should

get a commitment from the county in a couple weeks, and we could get the balance from some past capital ordinances or the capital project fund from the tower. Mayor DiMura will get more firm numbers from the borough engineer as to the cost of this project and a breakdown of where the funds can come from and then move forward.

5. Swim Pool Gate and Pathway – Councilman Kaplan spoke with the Swim Pool Commission and there is a lot of drainage issues on the pathway leading to the pool and proper drainage and curbing is needed. Councilman Kaplan feels that now would be the best time to repair this problem, as they are finishing construction of the lap pool. Mayor DiMura will get estimates for this work, which should not be costly, and a resolution will be put on the May 10, 2016 Public Meeting for approval.

Swim Pool Gate – Mayor DiMura indicated that the swim pool gate has been an issue over the last 2 years and the Police Department has had to go out to speak with residents during pool season. Prior to 2012 the gate was closed for a long period of time. Mayor DiMura went to the sight of the gate and requested Sergeant Comiskey (Traffic Sergeant) and Chief Geist to make a recommendation. In the past previous council's voted to open the gate, as they felt it was inconvenient to residents to make them walk around to the parking lot to get into the pool. Sergeant Comiskey provided the Mayor with a report and outlined recommendations and ultimately recommended closing the gate. Mayor DiMura indicated that last year they did try opening up the gate and it was a problem. Mayor DiMura suggested that we should close the gate this year. Council unanimously voted to open the gate on Market Street as they felt it was not a private road.

6. Proposed Amendment of Chapter 317 – Property Maintenance – Mayor DiMura mentioned that this ordinance is a quality of life issue for our community and affects the value of everyone's property. A consensus of council was taken to introduce this Ordinance at the May 10, 2016 Regular Meeting.

PUBLIC COMMENTS

Mayor DiMura opened the Public Portion of the meeting for any comments on Agenda Workshop Items.

Betty Platten, 4 Hooker Avenue questioned who the Pep Rally and Bon Fire was for, as she stated if it was for the Middlesex High School Football team, this would not be the first, as they held Pep Rallies and Bon Fires in the 80's for the High School Football Team. Mayor DiMura stated that this event was going to be held for the Middlesex American Youth Football and Cheer, which is the former "pop warner".

Carol Terracciano, 429 Edgeworth Street questioned if the proposed Amendment of Chapter 317, Property Maintenance included storage pods. Mayor DiMura indicated that there is a

separate ordinance that pertains to storage pods, and he will provide that ordinance to her if she would like it.

John Ellery, 701 Lincoln Boulevard suggested that in regard to the parking situation at the pool the borough should consider doing odd/even parking that is done in other towns, that allows other people to park.

Mr. Ellery has met with the business association and has worked with the Recreation Director on projects and discussed the Community Day and also National Night Out. Mr. Ellery requested that the council consider having the fireworks on the National Night Out and use the Community Day as a rain date. Mr. Ellery felt that these events hurt each other and hurt the business community. Mayor DiMura indicated that he has discussed the Community Night and National Night Out with Chief Geist and they both feel that these are two different specific events. On National Night Out they will hold a "Movie Night" in the Park and the fireworks will be at the end of the Community Night. Mayor DiMura stated that for future events they can discuss this concern. Mayor DiMura mentioned that soon a package will be put together and a letter will be going out to all businesses in town regarding the Community Night.

Rich Malt, 309 D Street stated mentioned that the lights at the football field are long overdue, fantastic for the High School, and are also a good thing for the businesses in town, specifically the restaurants.

Seeing that there was no further public participation, Mayor DiMura closed the public portion of the meeting on the Agenda Workshop Items.

ADJOURNMENT

Councilman Schueler made a motion to adjourn the Regular Meeting seconded by Councilman Madden and carried by a unanimous vote of members present.

Respectfully yours,

Linda Chismar, RMC
Deputy Clerk